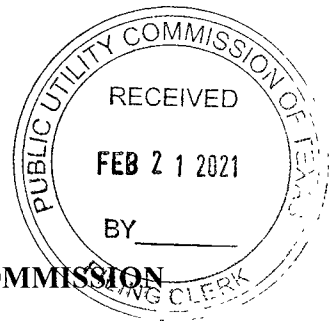


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**PROJECT NO. 50500**

**PETITION FOR DESIGNATION OF  
ELECTRIC PROVIDERS OF LAST  
RESORT FOR 2021-2022 AND  
SUBMISSION OF LARGE SERVICE  
PROVIDER ELECTRICITY FACTS  
LABELS**

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**PUBLIC UTILITY COMMISSION  
OF TEXAS**

**PUC PROJECT NO. 51812**

**ISSUES RELATED TO THE STATE OF  
DISASTER FOR THE FEBRUARY 2021  
WINTER WEATHER EVENT**

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**PUBLIC UTILITY COMMISSION  
OF TEXAS**

**DELEGATION OF AUTHORITY TO THE EXECUTIVE DIRECTOR  
AND GRANTING EXCEPTION TO COMMISSION RULES**

Through this Order the Commission delegates authority to its executive director to approve requests to be designated a voluntary retail electric provider (VREP) and to modify the designation of a VREP to add more customers. Further the Commission finds good cause to waive the July 31 deadline to submit a request for designation as a VREP.

**I. Background**

On February 12, 2021, as provided by Texas Government Code § 418.014, in response to an extreme winter weather event, Governor Greg Abbott issued a Declaration of a State of Disaster for all counties in Texas. Further, on February 15, 2021, the Electric Reliability Council of Texas, Inc. (ERCOT) declared its highest state of emergency, an Energy Emergency Alert Level 3 (EEA3), due to exceptionally high electric demand exceeding the diminished supply of generation. ERCOT directed transmission operators in the ERCOT region to curtail more than 10,000 megawatts (MW) of firm load. The ERCOT System has left EEA3 but several market issues have arisen, and it is expected that mass transitions of customers to provider of last resort service will be needed.

## II. POLR Service

The Commission has previously designated only one VREP, TXU Energy Retail Company LLC. Recognizing the need for additional POLR service, TXU Energy has requested that its VREP designation be modified to allow it to serve additional customers.

The Commission has also previously designated several entities to be large service providers (LSP)s, as defined by 16 Texas Administrative Code (TAC) § 24.43(i). Reliant Energy Retail Services LLC is one of those entities. Reliant has asked to be designated as a VREP and has asked the Commission to waive the July 31 deadline to request designation as a VREP found in 16 Texas Administrative Code § 24.43(i).

Commission Staff filed a recommendation that the July 31 deadline be waived to allow other LSPs to file a request by Monday February 22, 2021 by 3:00 p.m. In addition, Commission Staff asked that authority be delegated to staff to allow administrative approval if the LSP files sufficient information to demonstrate its capability to serve the additional customers it requests without seeking additional good cause waivers. Commission Staff stated that transitions to POLR service should not begin before Wednesday, February 24, 2021, to allow acquisitions and to allow any new VREPs to be in place.

Commission Staff further recommended that the Commission approve the request of TXU Energy to modify its VREP designation and Reliant Energy's request to be designated as a VREP.

Commission Staff will update the revised VREP list on the Commission's website after it has been approved.

The Commission agrees with Commission Staff that there is additional need for POLR service to be provided by VREPs at market-based rates. The Commission further agrees that the current circumstances provide good cause to waive the July 31 deadline to submit a request to be designated as a VREP. The Commission also agrees that the requests of TXU Energy and Reliant Energy should be approved. And finally, the Commission agrees that the approval of additional designations of VREPs, and modification of existing VREP designation to add more customers, should be delegated to the executive director.

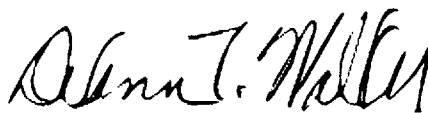
### III. Orders

For the reasons discussed in this above, the Commission issues the following orders:

1. The Commission waives the July 31 deadline to submit a request to be designated as a VREP.
2. The Commission delegates authority to the executive director to approve the requests of TXU Energy and Reliant Energy.
3. Any currently designated LSP may submit a request to be designated a VREP by Monday, February 22, 2021 by 3:00 p.m.
4. The Commission delegates authority to the executive director to approve a timely request by an LSP to be designated a VREP if the LSP files sufficient information to demonstrate its capability to serve the additional ESI ID's it requests without seeking additional good cause waivers.
5. The delegations to the executive director in this Order may not allow transitions to POLR service before Wednesday, February 24, 2021.

**Signed at Austin, Texas the 19th day of February 2021.**

**PUBLIC UTILITY COMMISSION OF TEXAS**



DEANN T. WALKER, CHAIRMAN



ARTHUR C. D'ANDREA, COMMISSIONER



SHELLY BOTKIN, COMMISSIONER